UNITED STATES PATENT AND TRADEMARK OFFICE

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2164	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary /	10/708,294	MCPEAKE ET AL.
	Examiner	**Art Unit**	
	Sathyanarayan Pannala	2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>28 September 2007</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,3-5,7-25,27-29,31-60 and 62-67</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1,3-5,7-25,27-29,31-60 and 62-67</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____ .

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

1.   Applicant's Amendment filed on 9/28/2007 has been examined with amended

claim 25. In this Office Action, claims 1, 3-5, 7-25, 27-29, 31-60 and 62-67 are pending.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

3.   Claims 1, 3-5, 7-13, 15-25, 27-29, 31-37, 39-46 are rejected under 35

U.S.C. 102(e) as being anticipated by Hermansen et al. (US Patent 6,963,871)

hereinafter Hermansen.

4.   As per independent claims 1, 25, Hermansen teaches a name searching system

with multiple processing options, which automatically selects and uses an appropriate

cultural-specific set of algorithms to search for database for names and evaluate their

proximity to a query name with multiple processing options (col. 3, lines 53-58).

Hermansen teaches the claimed, determining whether a particular name matches any names on a list of names, said particular name comprising one or more words (col. 3, lines 59-3 and col. 4, lines 6-9). Hermansen teaches the claimed, generating codes characterizing the particular name by generating a code for each word of the particular name that is based at least in part on phonetic sounds of the word and on whether characters of the word match a pattern occurring in a proper name in a given natural language (Fig. 1, col. 10, lines 21-25 and lines 40-51). Hermansen teaches the claimed, deriving an initial set of any matching names by comparing the codes of the particular name against corresponding codes for the list of names (Fig. 1, col. 10, lines 34-39). Hermansen teaches the claimed, deriving a final set of any matching names by comparing words of the particular name against words of names in the initial set (Fig. 2, col. 11, lines 11-16). Hermansen teaches the claimed, deriving a final set includes calculating a score based upon combinations of words of the particular name and words of names in the initial set (Fig. 3, col. 6, lines 48-50). Hermansen teaches the claimed, calculating a score is based, at least in part, upon number of matching characters in respective words (Fig. 2, col. 14, lines 3-14). Hermansen teaches the claimed, displaying any matching names in the final set having a score greater than an established threshold (Fig. 3, col. 7, lines 53-58). Hermansen also teaches the amended claim 25, limitation, a computer having a processor and memory (Fig. 3, col. 1, lines 26-27 and col. 6, lines 29-36).

5.   As per dependent claims 3, 27, Hermansen teaches the claimed, step of

calculating a score is based, at least in part, on how well characters correlate between

respective words (col. 2, lines 43-46).

6.   As per dependent claims 4, 28, Hermansen teaches the claimed, step of

calculating a score includes determining whether a character at a certain position in a

first word is at the certain position in a second word (Fig. 7, col. 9, lines 22-25).

7.   As per dependent claims 5, 29, Hermansen teaches the claimed, step of

calculating a score includes determining whether a character at the certain position in

the first word is at a different position in the second word (Fig. 7, col. 9, lines 30-33).

8.   As per dependent claims 7, 31, Hermansen teaches the claimed, step of

calculating a score is based, at least in part, upon a position in a word at which a

matching character is located (Fig. 7, col. 8, lines 56-61).

9.   As per dependent claims 8, 32, Hermansen teaches the claimed, step of

calculating a score includes calculating preliminary scores based on pairing each word

of the particular name with each word of a name in the initial set (Fig. 1, col. 5, line 65 to

col. 6, line 7).

10.   As per dependent claims 9, 33, Hermansen teaches the claimed, step of

calculating a score further comprises calculating an average of at least some of the

preliminary scores (Fig. 7, col. 8, lines 56-58).

11.   As per dependent claims 10, 34, Hermansen teaches the claimed, step of

deriving a final set further comprises determining whether the score exceeds a

threshold (col. 14, lines 37-45).

12.   As per dependent claims 11, 35, Hermansen teaches the claimed, threshold may

be established by a user (col. 13, lines 55-57) .

13.   As per dependent claims 12, 36, Hermansen teaches the claimed, step of

deriving a final set is based, at least in part, on length of words of the particular name

and words of names in the initial set (Fig. 7, col. 8, lines 53-55).

14.   As per dependent claims 13, 37, Hermansen teaches the claimed, step of

deriving an initial set includes determining if at least one code generated for the

particular name matches a code for a name on the list of names(Fig. 7, col. 8,

lines 56-58).

15.   As per dependent claims 15, 39, Hermansen teaches the claimed, step of

generating codes includes parsing the particular name into words (Fig. 2, col. 12,

lines 38-40).

16.   As per dependent claims 16, 40, Hermansen teaches the claimed, step of

generating codes includes removing superfluous characters (Fig. 7, col. 9, lines 5-8).

17.   As per dependent claims 17, 20, 41, 44 Hermansen teaches the claimed, step of

generating codes includes equating like-sounding characters (Fig. 8, col. 10,

lines 28-31).

18.   As per dependent claims 18, 42, Hermansen teaches the claimed, step of

generating codes includes generating a single code value based on a plurality of

characters (Fig. 7, col. 8, lines 56-58).

19.   As per dependent claims 19, 43, Hermansen teaches the claimed, step of

generating codes includes examining a character in a word in context of other

characters in the word (Fig. 1, col. 6, lines 8-12).

20.   As per dependent claims 20, 44, Hermansen teaches the claimed, step of

generating two codes for each word of the particular name, with each of the two codes

representing a different pronunciation (Fig. 1, col. 10, lines 25-31).

21.   As per dependent claims 21, 45, Hermansen teaches the claimed, step of

generating codes includes evaluating a plurality of characters to identify particular

patterns of characters (Fig. 7, col. 9, lines 5-8).

22.   As per dependent claims 22, 46, Hermansen teaches the claimed, particular

patterns comprise patterns of characters common in particular natural languages

(Fig. 7, col. 9, lines 5-8).

23.   As per dependent claim 23, this claim is treated as an independent. Hermansen

teaches the claimed, a computer-readable medium having processor-executable

instructions for performing as per dependent claim 1. This claim is rejected under the

same rationale as claim 1.

24.   As per dependent claim 24, this claim is treated as an independent. Hermansen

teaches the claimed, a downloadable set of processor-executable instructions for

performing the method of claim 1. This claim is rejected under the same rationale as

claim 1.

Claim Rejections - 35 USC § 103

25.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
>
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
>
> the prior art are such that the subject matter as a whole would have been obvious at the time the
>
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
>
> Patentability shall not be negatived by the manner in which the invention was made.

> This application currently names joint inventors. In considering patentability of the claims under 35
>
> U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly
>
> owned at the time any inventions covered therein were made absent any evidence to the contrary.
>
> Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates
>
> of each claim that was not commonly owned at the time a later invention was made in order for the
>
> examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior
>
> art under 35 U.S.C. 103(a).

26.   Claims 14, 38, 47-60, 62-67 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Hermansen et al. (US Patent 6,963,871) hereinafter Hermansen, and

in view of Stretton (USPA Pub. 2006/0095368 A1) hereinafter Stretton.

27.   As per dependent claims 14, 38, Hermansen does not explicitly teach suspect

list. However, Stretton teaches the claimed, suspect list (page 4, paragraph [0043]).

Thus, it would have been obvious to one of ordinary skill in the data processing art at

the time of the invention, to have combine the teachings of the cited references because

Stretton's teachings would have allowed Hermansen's method of detecting the
structuring of transactions in a way that alleviates the money laundering activities rely
on watch-lists of suspect individuals and nationalities (page 1, paragraph [0005 &
0007]).

28.   As per independent claim 47, Hermansen teaches a name searching system with
multiple processing options, which automatically selects and uses an appropriate
cultural-specific set of algorithms to search for database for names and evaluate their
proximity to a query name with multiple processing options (col. 3, lines 53-58).
Hermansen teaches the claimed, determining whether a particular name matches any
name on a list, said particular name having one or more words (col. 3, lines 59-3 and
col. 4, lines 6-9).   Hermansen teaches the claimed, generating a code for each word of
said particular name based at least in part on phonetic sound and on patterns of
characters occurring in names in natural languages (Fig. 1, col. 10, lines 21-25 and
lines 40-51). Hermansen teaches the claimed, identifying a set of potentially matching
names by comparing codes generated for said particular name with codes generated for
names on the list (Fig. 1, col. 10, lines 34-39). Hermansen teaches the claimed, for
each name in the set of potentially matching names, calculating a score based, at least
in part, upon correlation of characters between words of said particular name and words
of the name (Fig. 3, col. 6, lines 48-50). Hermansen teaches the claimed, if the score
calculated for said particular name and the suspect name exceeds a threshold,
reporting the match to the user (Fig. 3, col. 4, lines 37-40). Herman teaches the

claimed, calculation of the score is based, at least in part, upon number of matching characters in a firs word and a second word (Fig. 2, col. 14, lines 3-14).

Hermansen does not explicitly teach suspect list. However, Stretton teaches the claimed, suspect list (page 4, paragraph [0043]). Thus, it would have been obvious to one of ordinary skill in the data processing art at the time of the invention, to have combine the teachings of the cited references because Stretton's teachings would have allowed Hermansen's method of detecting the structuring of transactions in a way that alleviates the money laundering activities rely on watch-lists of suspect individuals and nationalities (page 1, paragraph [0005 & 0007]).

29.   As per dependent claim 48, Hermansen and Stretton combined teaches claim 47. Stretton teaches the claimed the suspect list comprises a watch list (page 4, paragraph [0043]). Thus, it would have been obvious to one of ordinary skill in the data processing art at the time of the invention, to have combined the teachings of the cited references because Stretton's teachings would have allowed Hermansen's method of detecting the structuring of transactions in a way that alleviates the money laundering activities rely on watch-lists of suspect individuals and nationalities (page 1, paragraph [0005 & 0007]).

30.   As per dependent claim 49, 54, Hermansen teaches the claimed, step of generating a code includes parsing said particular name into words (Fig. 2, col. 12, lines 38-40).

31.   As per dependent claim 50, Hermansen teaches the claimed, step of generating

a code includes removing superfluous characters (Fig. 7, col. 9, lines 5-8).

32.   As per dependent claim 51, Hermansen teaches the claimed, step of generating

a code includes equating like-sounding characters (Fig. 8, col. 10, lines 28-31).

33.   As per dependent claim 52, Hermansen teaches the claimed, step of generating

a code includes generating a single code value based on a plurality of characters

(Fig. 7, col. 8, lines 56-58).

34.   As per dependent claim 53, Hermansen teaches the claimed, step of generating

a code includes examining a character in a word in context of other characters in the

word (Fig. 1, col. 6, lines 8-12).

35.   As per dependent claim 55, Hermansen teaches the claimed, step of generating

a code includes evaluating a plurality of characters to identify particular patterns of

characters (Fig. 1, col. 6, lines 8-12).

36.   As per dependent claim 56, Hermansen teaches the claimed, particular patterns

comprise patterns of characters common in particular natural languages (Fig. 7, col. 9,

lines 5-8).

37.   As per dependent claim 57, Hermansen teaches the claimed, step of calculating

a score includes calculating preliminary scores based on pairing each word of said

particular name with each word of the suspect name (Fig. 1, col. 5, line 65 to col. 6,

line 7).

38.   As per dependent claim 58, Hermansen teaches the claimed, step of calculating

a score includes calculating an average of at least some of the preliminary scores

(Fig. 7, col. 8, lines 56-58).

39.   As per dependent claim 59, Hermansen teaches the claimed, step of calculating

a score includes comparing a character at a certain position in a first word with a

character at the certain position in a second word (Fig. 7, col. 9, lines 22-25).

40.   As per dependent claim 60, Hermansen teaches the claimed, step of calculating

a score further comprises determining whether the character at the certain position of

the first word is at a different position in the second word (Fig. 7, col. 9, lines 30-33).

41.   As per dependent claim 62, Hermansen teaches the claimed, step of calculating

a score is based, at least in part, upon a position in a word at which a matching

character is located (Fig. 7, col. 8, lines 56-61).

42.   As per dependent claim 63, Hermansen teaches the claimed, step of calculating

a score is based, at least in part, on length of words of said particular name and the

suspect name (Fig. 7, col. 8, lines 53-55).

43.   As per dependent claim 64, Hermansen teaches the claimed, step of calculating

a score is based, at least in part, on number of words of said particular name and the

suspect name (col. 2, lines 43-46).

44.   As per dependent claim 65, Hermansen teaches the claimed, step of reporting

the match includes reporting the score calculated for said particular name and the

suspect name (col. 14, lines 37-45).

45.   As per dependent claim 66, a computer-readable medium having processor-

executable instructions for performing As per dependent claim 47. This claim is

rejected under the same rationale as claim 47.

46.   As per dependent claim 67, a downloadable set of processor-executable

instructions for performing the method of claim 47. This claim is rejected under the

same rationale as claim 47.

Response to Arguments

47.   Applicant's arguments filed on 9/28/2007 have been fully considered but they are

not persuasive and details as follows:

      a)   Applicant's argument stated as "Applicant respectfully believes that it

defines a statutory product and overcomes the rejection of claims 25-46 under

Section 101."

      In response to Applicant argument, Examiner respectfully agrees because

claims 25-46 have overcome 35 U.S.C. 101 rejection after amending claim by

adding a hardware components as computer with a processor and memory.

      b)   Applicant's argument stated as "As the limitations of Applicant's claims 1,

3-5, 7-13, 15-25, 27-29, 31-37 and 39-46 are not disclosed or taught by

Hermasen..."

      In response to Applicant argument, Examiner respectfully disagrees

because after thorough review of prior art, each and every claim and their

limitations are taught by prior art on record. Therefore, Examiner withdrawn the

objecting claims and made this Office Action as non-final. Applicant's arguments

do not comply with 37 CFR 1.111(c) because they do not clearly point out the

patentable novelty which he or she thinks the claims present in view of the state

of the art disclosed by the references cited or the objections made. Further, they

do not show how the amendments avoid such references or objections.

Conclusion

48.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Sathyanarayan Pannala whose telephone number is

(571) 272-4115. The examiner can normally be reached on 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov.

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assistance from a USPTO Customer Service Representative or access to the

automated information system, call 800-786-9199 (IN USA OR CANADA) or

571-272-1000.

Sathyanarayan Pannala
Primary Examiner

srp
October 10, 2007